

Village of Gates Mills
MINUTES OF A REGULAR MEETING OF COUNCIL
March 19, 2024

A regular meeting of the Council of the Village of Gates Mills, Ohio was held at the Community House on Tuesday, March 19, 2024, at 5:30 p.m. with Mayor Siemborski presiding. The meeting was livestreamed to the internet.

1. Roll Call starts at 2:25

Councilmembers present: Atton, Broome, Deacon, Press, Turner, Welsh.

Other Village officials present were Clerk DeCapite, Service Director Biggert, Police Chief Minichello, Fire Chief Majeski, Finance Administrator Mulh, Village Engineer Courtney, and Law Director Hunt.

Councilmember Turner moved to excuse Councilmember Steinbrink and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

2. Minutes of the Regular Council meeting of February 20, 2024 starts at 2:54

Mayor Siemborski stated that comment was raised in advance of tonight's meeting with regard to the language in the Comprehensive Plan utilization motion made by Councilmember Turner, the comment by the Mayor that the Plan was a guide, and whether the two were somewhat conflicting. After further review the Mayor maintained the statement he made should not be changed in the minutes as it was factual. The minutes are a summary of the proceedings. The entire proceedings are videotaped, and if there is ever confusion one can go back to the tape and listen to exactly what was said.

Councilmember Welsh moved to approve the February 20, 2024 minutes and Councilmember Press seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

3. Pay Ordinance # 1283 \$681,977.64 starts at 4:17

Councilmember Welsh moved to approve Pay Ordinance #1283 and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

4. **Ordinance No. 2024-2 (Second Reading)** starts at 5:04

“An Ordinance Enacting New Section 131.06 of Chapter 131, “Council”, of the Codified Ordinances of the Village of Gates Mills with Respect to the Duties of the President Pro Tem of Council” was read by Mayor Siemborski. This ordinance is the memorialization of a discussion in January on better defining the roles and responsibilities of the President Pro Tem and how that person would work with the Mayor.

Discussion followed among Councilmembers Deacon, Press, Turner, and Broome. It was agreed that “members” and “either individual or collectively” should be eliminated from item (c). Item (c) would then read “Consult with other Council members in compliance with the Ohio Open Meetings Act on important matters, to ensure that Council’s views are known and expressed to the Mayor”.

Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Ordinance No. 2024-2 be placed upon its final passage. Councilmember Deacon seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Welsh moved to approve Ordinance No. 2024-2 as amended and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

5. Mayor’s Report starts at 13:24

a. Gates Mills Land Conservancy - Property Acquisition - Per a provision in the operating agreement between the Village and GMLC, Council must be informed by GMLC of its intent to purchase a piece of property before a commitment is made. GMLC has done that in a narrative document shared with Councilmembers by the Mayor a few days ago. Subsequent Council comments/questions were referred to GMLC. Jamie Carracher, GMLC Vice President and John Kozak, GMLC Board Member are here tonight to talk about the acquisition and answer questions.

Mr. Carracher shared the exciting news that GMLC voted in February to move forward with the purchase of about 14 acres of untouched forested property north of Mayfield Road across from the west hill speed camera. GMLC acquires properties to preserve them in their natural state. This property’s proximity to preserved land already owned by GMLC, the Village, and Cleveland Metroparks offers compounding conservation value. This property protects the scenic Village gateway from the west and east on Mayfield Road, further protects the Chagrin River and watershed, and protects public safety by preventing more dangerous access onto Mayfield Road. The funding will come from GMLC levy and operating funds. The purchase will not prevent GMLC from reaching the \$700,000 endowment by 2026. The proposed

purchase price is slightly above a competitive offer the landowner has already received, yet still within the expected range based on a certified appraisal - a fair market purchase.

Council and audience discussion followed regarding the requirement for GMLC to advise Council of acquisitions before making a commitment when they're using their own money, disclosure of the purchase price, opportunity costs, and the fund balance calculation called for in Section 7 of the operating agreement. Ultimately all Councilmembers indicated their endorsement of the GMLC property acquisition.

b. Tennis/Pickleball Court Update - At 26:04

- Final cost of converting the existing two tennis courts into two tennis courts and four pickleball courts is about \$34,000.
- Final cost of the nets is \$10,200. GM Improvement Society has agreed to fund 90% or \$9500. - our net cost is about \$1000.
- GM Improvement Society has upped their budget for rackets/pickleball program by about \$1500.
- Available early spring through fall

c. Encore Update - At 27:49 - Since presenting last month the sponsorship opportunity with Encore Chamber Music Institute, a youth musical mentoring program, the Mayor was successful in securing a contribution from the GM Improvement Society to help support a June 23rd Encore event on the Village Green. We are going forward with this cultural family no cost event and the final \$5000 to \$7500 will be funded from the Village's recreation fund. Jerry Bohinc has reached out to several other Village organizations so that no one feels left out of this. There will be one or two other things being put together to showcase Encore musician alumni around the Village and different venues.

d. Mayfield City School District Update - At 29:52 - The Mayor met with Dr. Barnes, Superintendent and Scott Snyder, School District Treasurer to introduce himself in his new role, to explain what the Liaison Committee does, to convey that the Mayfield School System and Elementary School facility are important to the Village as evidenced by two of the Comprehensive Plan priorities, and to review our levy experience. The Mayor asked them to come and talk to our residents sometime in April about subjects non-financial in nature in a town hall/coffee talk forum. The Mayor also invited them, in the likely event there is a levy approved by the School Board in May, to make a levy presentation and to field questions from the audience. Dr. Barnes and Mr. Snyder were very receptive to fostering better communication between the school district and the Village. We are making progress on some of the items in the Comprehensive Plan with regard to Mayfield Schools.

Councilmember Atton commented that the real estate tax increase the School Board will put on the levy probably in November is a permanent levy, one the School District does not have to renew. Once it's there, it's there. It will be a 7% increase in real estate taxes beginning early next year. It's a big number.

6. Moved to Agenda Item 12. **Resolution No. 2024-6 (First Reading)** starts at 33:32

“A Resolution Confirming the Planning and Zoning Commission’s Approval of an Extension of a Nonconforming Residential Use of Property at 1671 Epping Road for a Home Addition” was read by Councilmember Broome. This property on Epping Road is in the U3 Uses District - non-regular commercial activities such as the Hunt Club. The homeowners want to build a small addition on the back of the house and tear off a porch on the side of the house making easier access for safety services. It is the use of the property that is nonconforming - not the house. The Planning and Zoning Commission approved the extension of the nonconforming residential use in the U3 District. Statute requires confirmation by resolution of Council before the P & Z approval becomes effective.

Chuck Fazio, architect of the addition and restoration plan, provided drawings and pictures and was present to answer questions. Neighbors were advised prior to the P & Z meeting and had no objections. There are no changes to the current setbacks. The Architectural Review Board and its Historic Review Subcommittee have to review this yet.

Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-6 be placed upon its final passage. Councilmember Welsh seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Broome moved to approve Resolution No. 2024-6 and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

7. Moved to Agenda Item 13. **Resolution No. 2024-7 (First Reading)** starts at 41:47

“A Resolution Authorizing the Mayor and the Clerk to Enter into a “First Amendment to Indenture of Lease” with Howard Hanna for Office Space at 1501 Chagrin River Road” was read by Mayor Siemborski. The existing lease allows Howard Hanna to renew for one year by giving us notice and they have done that. The renewal starts this September for one year. Howard Hanna also asked for an option for another one year starting September 2025 with an increase in the monthly rent of \$50, and that requires an amendment to the lease.

Councilmember Atton commented it’s \$30 per square foot today which is very good rent. Councilmember Welsh moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-7 be placed on its final passage. Councilmember Turner seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Welsh moved to approve Resolution No. 2024-7 and Councilmember Deacon seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

8. Moved to Agenda Item 15. **Resolution No. 2024-8 (First Reading)** starts at 44:17

“A Resolution Authorizing the Mayor and the Clerk to Enter Into a Memorandum of Understanding with the Chester Township Trustees to Cooperate in the Public Improvement Project to County Line Road, to Authorize the Expenditure Therefore, and Declaring an Emergency” was read by Mayor Siemborski. Of the total project cost estimate of \$1,400,000, the Village share is \$588,000. With the added estimated cost of replacement of Culvert #20 shared 50/50 with Chester Township (\$50,000), the sole cost of the Village Engineer’s project supervision and monitoring (\$35,000), and a contingency amount for unforeseen conditions (\$27,000), the total estimated Village expenditure for the entire project is \$700,000. Culvert #20 is located right by address 1120 County Line Road. Councilmembers Press and Deacon think there are smaller culvert problems on County Line Road south of Mayfield Road that need to be addressed. Village Engineer Courtney has seen the emails on the same subject and is awaiting information from Geauga County Soil and Water Conservation District before digging in.

The project will take about two months. It’s meant to start in June. It will cover County Line Road from the Horticultural Center on the north end down to the Hunting Valley line. The portion of Old Mill Road in Chester Township is part of the project solely at their expense.

Council has already approved an appropriation of \$900,000 for this. The cost coming in at \$700,000 leaves us essentially \$200,000 to cover 1) surprises found under the pavement once five miles of road are unearthed and 2) Andrews or Hillcreek or some of the other roads that we said might be put off for a year.

Councilmember Broome gave credence to the surprise under the pavement concern - for many years garbage trucks drove up and down County Line Road going to the landfill off Brookstone Road across from the Horticultural Center.

Councilmember Broome moved that the rules requiring ordinances to be read on three different days be suspended and that Resolution No. 2024-8 be placed on its final passage. Councilmember Welsh seconded the motion to suspend the rules.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None
Motion carried.

Councilmember Welsh moved to approve Resolution No. 2024-8 and Councilmember Broome seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.
Nays: None

Motion carried.

9. Moved to Agenda Item No. 14. Motion to authorize competitive bidding for trash and recycling services for the Village starts at 51:18

Service Director Biggert stated that our current Rumpke contract for trash and recycling pickup expires 12/31/2024. A Council motion would allow him to send out specs in order to receive bids on a three-year contract with two single year renewal options, and it would allow him to be back in June or July with a bid for Council consideration and approval. Specs will include an alternate bid for recycling with the totes/automated trucks used during the recent trial period. A survey of the participants in the tote trial remains to be circulated.

Councilmember Press made a motion to authorize the competitive bidding for trash and recycling services for the Village. Councilmember Atton seconded the motion.

Ayes: Atton, Broome, Deacon, Press, Turner, Welsh.

Nays: None

Motion carried.

10. Moved to Agenda Item No. 5 e. Discussion of Areas of Strategic Importance - At 55:39 - The Mayor provided a document that is his summary and suggestion of how to move forward with the various items that came out of our planning process. The Mayor had asked each Councilmember to either prioritize the 21 objectives found on page 69 of the Comprehensive Plan or categorize those 21 objectives into strategic or operational issues. The strategic issues would be organized and presented to Council for review and edit. Then those strategic issues would be tackled through meetings, workshops, etc. These were larger items that might require more time, more resources, or the use of outside individuals or organizations. He appreciated all the responses that came back. Additional copies of the Mayor's document were distributed to the audience. Tonight, the Mayor wants to discuss how the document was organized and get the Council's reaction to these strategic matters. There are reference points for where more detail can be found in the Plan and a suggested path forward.

At 57:57 Mayor Siemborski stated it was almost unanimous that the number one item of strategic importance to Councilmembers is protect, preserve and enhance the natural and scenic environment. Items that neatly fit under this category are protect, preserve and enhance the Chagrin River Valley, scenic views and tree canopy, enforce environmental codes, and evaluate the scope of the Architectural Review Board and Historic Subcommittee. Suggested action steps were put forth - number one would be to create a Natural and Scenic Environment Committee. Councilmember Press asked for clarification regarding the Tree Canopy Committee and Mayor Siemborski replied in his mind the Tree Canopy Committee is a subset of the Natural and Scenic Environment Committee. Councilmember Press agreed.

At 1:02:33 the Mayor stated the second item of strategic importance was improving utilities and services. Internet/Broadband services, cell services and electrical reliability fall into this grouping. Essentially everyone who responded back to the Mayor thought these items were in the top two or few things that we should be

doing. The suggested path forward is to expand Broadband Committee scope and members.

At 1:04:22 Mayor Siemborski described the third grouping of strategic importance was to enhance the Village Center as a gathering place. There were 3 items that were commonly listed - develop a downtown plan, modernize communication methods and community interest, and provide more family activities.

At 1:06:10 the Mayor described the fourth grouping. These are the things Councilmembers said were strategically important that did not fall into the first, second, or third grouping. Number one was do not change zoning regulations followed by encouraging investment in existing housing stock, then increase sidewalks and trails. Work with the schools and remember we have four schools here. Finally encourage the use of alternative and green energy.

At 1:08:09 Councilmembers commented on the Mayor's summary and at 1:17:33 the Mayor said absent comments to be forthcoming sometime this week, he will put together next steps to identify Committees. Workshop dates will again be circulated to Councilmembers so we can start to tackle some of these areas of strategic importance.

11. Moved to Agenda Item No. 6. Clerk's Report - None

12. Moved to Agenda Item No. 7. Financial Report starts at 1:18:47

13. Moved to Agenda Item No. 8. Police Department Report starts at 1:22:51

The Police Chief reported that on St. Patrick's Day there was a pretty serious accident on Mayfield Road at County Line Road. A married couple from Chesterland was sitting at the red light when the car behind them did not stop and rear ended them. They are in the hospital currently with pretty significant injuries. The driver of the vehicle, a male from Euclid, was under the influence and arrested.

14. Moved to Agenda Item No. 9. Service Department Report starts at 1:24:20

Service Director Biggert advised Fabrizi Construction will start the Mayfield Road Culvert Replacement project on or about April 15th depending on the weather. The project is expected to take about 60 days to complete. There will be single lane closures in the construction area for both eastbound and westbound lanes. Construction trucks will be moving in and out of Mayfield Road in that area so please slow down and be careful. Advance notice signs will be posted as soon as possible.

Councilmember Turner asked for the status of a bike lane or sharrow on Gates Mills Blvd. Mayor Siemborski answered that Village Engineer was asked to prepare a proposal. Since that proposal was just received this afternoon, it will be available at next month's meeting for discussion and indicates two choices. One is to do nothing. The other is to paint sharrows and provide signage in both directions for \$18,125.

15. Moved to Agenda Item No. 10. Fire Department Report starts at 1:29:20

Fire Chief Majeski spoke about our Cadet program. With the new changes in state regulations, a student can go to fire school during their senior year of high school and then test upon their graduation. We have one young man who is a senior at Kirtland High School and would like to attend fire school. The Mayor has agreed to sponsor him meaning we've agreed to pay for his courses at Auburn Career Center and his equipment such as boots and coat. We've got to do something to improve our ranks.

Mayor Siemborski has asked the Fire Chief and Assistant Fire Chief to put together a proposal on what the additional cost would be to have someone on duty on the weekends. After 4:00 p.m. on Fridays, there is a full two-day gap and on holiday weekends there is a three-day gap when there is no fire service person nearby. We have a few staff members that live within a few miles, but we are relatively exposed.

16. Moved to Agenda Item No. 11. Committee Reports - Broadband starts at 1:33:24

Councilmember Deacon advised that Hunting Valley has signed an agreement with Ohio Gig for Broadband service. A couple of us have a copy of that agreement and we are evaluating it to put together our questions for Hunting Valley. Our consultant Tom Reid is also looking at the agreement. Mayor Siemborski suggested our consultant read it not only to understand what's in the agreement but how that would affect Gates Mills. We have more residents, more houses, and more mileage in some cases. Let's make sure there is a fit before we just start asking Hunting Valley about their experience. We also would probably want Tom Reid to help us with the conversation with Ohio Gig to make sure we understand technically what they are putting in and how it's being executed and delivered and how that's relevant for us.

Councilmember Deacon met with Tom Reid this morning to talk about next steps. Tom has come up with a list of broad discussion points that we should discuss in order to give feedback so that he can then put together a draft RFP. Councilmember Deacon proposes a special meeting that would last a couple of hours to discuss the points on Tom's list and provide him with feedback. Mayor Siemborski would first be interested in Tom's analysis of Hunting Valley's deal and how that affects us. Councilmember Deacon agreed. The Mayor asked if this meeting is a Council item or Committee item and Councilmember Deacon responded Committee item with the public or anyone on Council invited to attend. Councilmember Deacon feels this affects the entire Village and is a big deal - we should go the formal route of an RFP and understand the waterfront before we make a decision. She will put together a project plan timeline.

17. Business from the Audience starts at 1:44:07

Sara Carracher, as part of the Communications Committee working on the Comprehensive Plan, was happy to see what the Mayor brought tonight concerning the items of strategic importance. Secondly, she worries about safety on Chagrin River Road, especially as to the kids and counselors attending summer Nature Camp. We are not creating a safe environment for them. Potential plans for a sidewalk are awesome and long overdue, but why haven't we looked at crosswalks painted on the street, pedestrian activated lights, permanent speed activated signs, signs ahead of the bridge noting this is a pedestrian area, moving the speed limit sign north so cars slow down sooner, ticketing more - anything that could help with the traffic.

Mayor Siemborski indicated Sara's involvement in the communication and content development of the Comprehensive Plan would be helpful to him and his administration in cleaning up and publicizing the spreadsheet passed out today, so our residents know progress is being made on the bigger issues. He will review with the Chiefs the various safety measures she presented and see what we can do. We're waiting to hear this summer on funding for the sidewalk.

18. Adjourn

There being no further business, it was moved by Councilmember Broome, seconded by Councilmember Atton, and unanimously carried, that the council meeting be adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Beth DeCapite". The signature is written in a cursive, flowing style.

Beth DeCapite, Clerk

Approved:

A handwritten signature in black ink that reads "Steven L. Siemborski". The signature is written in a cursive, flowing style.

Steven L. Siemborski, Mayor